

105TH CONGRESS
2D SESSION

S. 1325

IN THE HOUSE OF REPRESENTATIVES

AUGUST 3, 1998

Referred to the Committee on Science

AN ACT

To authorize appropriations for the Technology Administration of the Department of Commerce for fiscal years 1998, 1999, and 2000, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Technology Adminis-
5 tration Authorization Act for Fiscal Years 1998, 1999,
6 and 2000”.

1 **SEC. 2. DEFINITIONS.**

2 In this title:

3 (1) DIRECTOR.—The term “Director” means
4 the Director of the National Institute of Standards
5 and Technology.

6 (2) MAJOR REORGANIZATION.—With respect to
7 the National Institute of Standards and Technology,
8 the term “major reorganization” means any reorga-
9 nization of the Institute that involves the reassign-
10 ment of more than 25 percent of the employees of
11 the National Institute of Standards and Technology.

12 (3) SECRETARY.—The term “Secretary” means
13 the Secretary of Commerce.

14 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS FOR SCI-**
15 **ENTIFIC AND TECHNICAL RESEARCH AND**
16 **SERVICES.**

17 (a) LABORATORY ACTIVITIES.—There are authorized
18 to be appropriated to the Department of Commerce for
19 use by the Secretary of Commerce for the Scientific and
20 Technical Research and Services laboratory activities of
21 the National Institute of Standards and Technology—

22 (1) \$271,900,000 for fiscal year 1998;

23 (2) \$287,658,000 for fiscal year 1999; and

24 (3) \$296,287,000 for fiscal year 2000.

25 (b) CONSTRUCTION AND MAINTENANCE.—

1 (1) IN GENERAL.—There are authorized to be
 2 appropriated to the Department of Commerce for
 3 use by the Secretary of Commerce for construction
 4 and maintenance of facilities of the National Insti-
 5 tute of Standards and Technology—

6 (A) \$95,000,000 for fiscal year 1998;

7 (B) \$67,000,000 for fiscal year 1999; and

8 (C) \$56,700,000 for fiscal year 2000.

9 (2) PROHIBITION.—None of the funds author-
 10 ized by paragraph (1)(B) for construction of facili-
 11 ties may be obligated unless the Secretary of Com-
 12 merce has certified to the Committee on Commerce,
 13 Science, and Transportation of the Senate and the
 14 Committee on Science of the House of Representa-
 15 tives that the obligation of funds is consistent with
 16 a plan for meeting the needs of the facilities of the
 17 National Institute of Standards and Technology that
 18 the Secretary has transmitted to those committees.

19 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR THE OF-**
 20 **FICE OF THE UNDER SECRETARY FOR TECH-**
 21 **NOLOGY.**

22 There are authorized to be appropriated to the De-
 23 partment of Commerce for use by the Secretary of Com-
 24 merce for the activities of the Under Secretary for Tech-
 25 nology, the Office of Technology Policy, and the Office of

1 Air and Space Commercialization (as established under
2 section 415 of this title)—

3 (1) \$8,500,000 for fiscal year 1998;

4 (2) \$10,807,400 for fiscal year 1999; and

5 (3) \$11,132,000 for fiscal year 2000.

6 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS FOR INDUS-**
7 **TRIAL TECHNOLOGY SERVICES.**

8 There are authorized to be appropriated to the De-
9 partment of Commerce for use by the Secretary of Com-
10 merce for the industrial technology services activities of
11 the National Institute of Standards and Technology—

12 (1) \$306,000,000 for fiscal year 1998, of
13 which—

14 (A) \$192,500,000 shall be for the Ad-
15 vanced Technology Program under section 28
16 of the National Institute of Standards and
17 Technology Act (15 U.S.C. 278n); and

18 (B) \$113,500,000 shall be for the manu-
19 facturing extension partnerships program under
20 sections 25 and 26 of the National Institute of
21 Standards and Technology Act (15 U.S.C. 278k
22 and 278l);

23 (2) \$318,371,000 for fiscal year 1999, of
24 which—

1 (A) \$204,000,000 shall be for the Ad-
 2 vanced Technology Program under section 28
 3 of the National Institute of Standards and
 4 Technology Act (15 U.S.C. 278n); and

5 (B) \$114,371,000 shall be for the manu-
 6 facturing extension partnerships program under
 7 sections 25 and 26 of the National Institute of
 8 Standards and Technology Act (15 U.S.C. 278k
 9 and 278l); and

10 (3) \$324,491,000 for fiscal year 2000, of
 11 which—

12 (A) \$210,120,000 shall be for the Ad-
 13 vanced Technology Program under section 28
 14 of the National Institute of Standards and
 15 Technology Act (15 U.S.C. 278n); and

16 (B) \$114,371,000 shall be for the manu-
 17 facturing extension partnerships program under
 18 sections 25 and 26 of the National Institute of
 19 Standards and Technology Act (15 U.S.C. 278k
 20 and 278l).

21 **SEC. 6. NATIONAL INSTITUTE OF STANDARDS AND TECH-**
 22 **NOLOGY ACT AMENDMENTS.**

23 (a) AMENDMENTS.—Section 28 of the National Insti-
 24 tute of Standards and Technology Act (15 U.S.C. 278n)
 25 is amended—

1 (1) in subsection (d)—

2 (A) in paragraph (1)—

3 (i) by inserting “(A)” after “(1)”;

4 (ii) by inserting “and be of a nature
5 and scope that would not be pursued in a
6 timely manner without Federal assistance”
7 after “technical merit”; and

8 (iii) by adding at the end the follow-
9 ing:

10 “(B) Each applicant for a contract or
11 award under the Program shall certify that the
12 applicant has made an effort to secure private
13 market funding for the research project in-
14 volved. That certification shall include a written
15 narrative description of the efforts made by the
16 applicant to secure that funding.”; and

17 (B) by adding at the end the following:

18 “(12) A large business may participate in a re-
19 search project that is the subject of a contract or
20 award under paragraph (3) only as a member of a
21 joint venture that includes 1 or more small busi-
22 nesses as members.”;

23 (2) in subsection (j)—

24 (A) by striking “and” at the end of para-
25 graph (1);

1 (B) by redesignating paragraph (2) as
 2 paragraph (5); and

3 (C) by inserting after paragraph (1) the
 4 following:

5 “(2) the term ‘large business’ means a business
 6 that—

7 “(A) is not a small business; and

8 “(B) has gross annual revenues in an
 9 amount greater than \$2,500,000,000;

10 “(3) the term ‘medium business’ means a busi-
 11 ness that—

12 “(A) is not a small business; and

13 “(B) has gross annual revenues in an
 14 amount less than or equal to \$2,500,000,000;

15 “(4) the term ‘small business’ means a small
 16 business concern, as described in section 3(a)(1) of
 17 the Small Business Act (15 U.S.C. 632(a)(1)); and”;

18 (3) by redesignating subsection (j) as sub-
 19 section (m); and

20 (4) by inserting after subsection (i) the follow-
 21 ing:

22 “(j) Notwithstanding subsection (b)(1)(B) and sub-
 23 section (d)(3), the Director may grant an extension be-
 24 yond the applicable deadline specified in subsection
 25 (b)(1)(B) or (d)(3) for a joint venture or single applicant

1 recipient of assistance to expend Federal funds to com-
 2 plete the project assisted with that assistance, if that ex-
 3 tension—

4 “(1) is granted with no additional cost to the
 5 Federal Government; and

6 “(2) is in the interest of the Federal Govern-
 7 ment.

8 “(k)(1) The Secretary, acting through the Director,
 9 may vest title to tangible personal property in any recipi-
 10 ent of financial assistance under this section if—

11 “(A) the property is purchased with funds pro-
 12 vided under this section; and

13 “(B) the Secretary, acting through the Direc-
 14 tor, determines that the vesting of such property
 15 furthers the objectives of the Institute.

16 “(2) Vesting under this subsection shall—

17 “(A) be subject to such limitations as are pre-
 18 scribed by the Secretary, acting through the Direc-
 19 tor; and

20 “(B) be made without further obligation to the
 21 United States Government.

22 In carrying out this section, the Secretary, acting through
 23 the Director, shall ensure that the requirements of Cir-
 24 cular No. A-110 issued by the Office of Management and

1 Budget are met with respect to the valuation of cost-share
2 items used by participants in the Program.

3 “(l) AWARDS BASED ON COMPETITION.—All
4 amounts appropriated for grants under subsection (b) for
5 fiscal years beginning after the date of enactment of the
6 Technology Administration Authorization Act for Fiscal
7 Years 1998, 1999, and 2000 shall be used for grants
8 awarded on the basis of general open competition.”.

9 (b) ADDITIONAL AMENDMENT.—

10 (1) IN GENERAL.—Section 28(d)(11)(A) of the
11 National Institute of Standards and Technology Act
12 (15 U.S.C. 278n(d)(11)(A)) is amended by striking
13 the period at the end of the first sentence and in-
14 serting the following: “or any other university or
15 nonprofit awardee or subawardee (as those terms
16 are defined by the Secretary) receiving financial as-
17 sistance under this section, as agreed by the parties,
18 notwithstanding the requirements of chapter 18 of
19 title 35, United States Code.”.

20 (2) APPLICABILITY.—The amendment made by
21 this subsection shall apply only with respect to as-
22 sistance for which solicitations for proposals are
23 made after the date of enactment of this title.

1 **SEC. 7. MANUFACTURING EXTENSION PARTNERSHIP PRO-**
 2 **GRAM CENTER EXTENSION.**

3 Section 25(c)(5) of the National Institute of Stand-
 4 ards and Technology Act (15 U.S.C. 278k(c)(5)) is
 5 amended by striking “, which are designed” and all that
 6 follows through “operation of a Center.” and inserting
 7 “. After the sixth year, a Center may receive additional
 8 financial support under this section if that Center has re-
 9 ceived a positive evaluation through a review, under proce-
 10 dures and criteria established by the Institute. The review
 11 referred to in the preceding sentence shall be required not
 12 later than 2 years after the sixth year, and not less fre-
 13 quently than every 2 years thereafter. The funding re-
 14 ceived by a Center for a fiscal year under this section after
 15 the sixth year of operation shall be for capital and annual
 16 operating expenses and maintenance costs. The proportion
 17 of funding that the Center receives from the Government
 18 after the sixth year of operation from funds made available
 19 to carry out this section for the costs referred to in the
 20 preceding sentence shall not exceed one-third of the total
 21 costs of operation of a center under the program.”.

22 **SEC. 8. MALCOLM BALDRIGE NATIONAL QUALITY AWARD.**

23 Section 17(c)(1) of the Stevenson-Wydler Technology
 24 Innovation Act of 1980 (15 U.S.C. 3711a(c)(1)) is amend-
 25 ed by adding at the end the following:

26 “(D) Health care providers.

1 “(E) Education providers.

2 “(F) Environmental technology provid-
3 ers.”.

4 **SEC. 9. NEXT GENERATION INTERNET.**

5 (a) IN GENERAL.—Except as provided in subsection
6 (b), none of the funds authorized by this title, or any other
7 Act enacted before the date of enactment of this Act, may
8 be used for the programs and activities for the Internet
9 project known as the “Next Generation Internet”.

10 (b) EXCEPTION.—Notwithstanding subsection (a),
11 funds described in that subsection may be used for the
12 continuation of programs and activities related to Next
13 Generation Internet that were funded and carried out dur-
14 ing fiscal year 1997.

15 **SEC. 10. NOTICE.**

16 (a) NOTICE OF REPROGRAMMING.—If any funds ap-
17 propriated pursuant to the amendments made by this Act
18 are subject to a reprogramming action that requires notice
19 to be provided to the Committees on Appropriations of the
20 Senate and the House of Representatives, notice of that
21 action shall concurrently be provided to the Committee on
22 Commerce, Science, and Transportation of the Senate and
23 the Committee on Science of the House of Representa-
24 tives.

1 (b) NOTICE OF REORGANIZATION.—Not later than
2 15 days before any major reorganization of any program,
3 project, or activity of the National Institute of Standards
4 and Technology, the Director shall provide notice to the
5 Committees on Commerce, Science, and Transportation
6 and Appropriations of the Senate and the Committees on
7 Science and Appropriations of the House of Representa-
8 tives.

9 **SEC. 11. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.**

10 With the year 2000 rapidly approaching, it is the
11 sense of Congress that the Director should—

12 (1) give high priority to correcting all 2-digit
13 date-related problems in the computer systems of
14 the National Institute of Standards and Technology
15 to ensure that those systems continue to operate ef-
16 fectively in the year 2000 and in subsequent years;

17 (2) as soon as practicable after the date of en-
18 actment of this title, assess the extent of the risk to
19 the operations of the National Institute of Standards
20 and Technology posed by the problems referred to in
21 paragraph (1), and plan and budget for achieving
22 compliance for all of the mission-critical systems of
23 the system by the year 2000; and

1 (3) develop contingency plans for those systems
 2 that the National Institute of Standards and Tech-
 3 nology is unable to correct by the year 2000.

4 **SEC. 12. ENHANCEMENT OF SCIENCE AND MATHEMATICS**
 5 **PROGRAMS.**

6 (a) DEFINITIONS.—In this section—

7 (1) EDUCATIONALLY USEFUL FEDERAL EQUIP-
 8 MENT.—The term “educationally useful Federal
 9 equipment” means computers and related peripheral
 10 tools and research equipment that is appropriate for
 11 use in schools.

12 (2) SCHOOL.—The term “school” means a pub-
 13 lic or private educational institution that serves any
 14 of the grades of kindergarten through grade 12.

15 (b) SENSE OF CONGRESS—

16 (1) IN GENERAL.—It is the sense of Congress
 17 that the Director should, to the greatest extent prac-
 18 ticable and in a manner consistent with applicable
 19 Federal law (including Executive Order No. 12999),
 20 donate educationally useful Federal equipment to
 21 schools in order to enhance the science and mathe-
 22 matics programs of those schools.

23 (2) REPORTS—

24 (A) IN GENERAL.—Not later than 1 year
 25 after the date of enactment of this title, and an-

1 nually thereafter, the Director shall prepare
 2 and submit to the President a report. The
 3 President shall submit the report to Congress
 4 at the same time as the President submits a
 5 budget request to Congress under section
 6 1105(a) of title 31, United States Code.

7 (B) CONTENTS OF REPORT.—The report
 8 prepared by the Director under this paragraph
 9 shall describe any donations of educationally
 10 useful Federal equipment to schools made dur-
 11 ing the period covered by the report.

12 **SEC. 13. TEACHER SCIENCE AND TECHNOLOGY ENHANCE-**
 13 **MENT INSTITUTE PROGRAM.**

14 (a) IN GENERAL.—The National Institute of Stand-
 15 ards and Technology Act (15 U.S.C. 271 et seq.) is
 16 amended by inserting after section 19 the following:

17 “SEC. 19A. (a) The Director shall establish within the In-
 18 stitute a teacher science and technology enhancement pro-
 19 gram.

20 “(b) The purpose of the program under this section
 21 shall be to provide for professional development of mathe-
 22 matics and science teachers of elementary, middle, and
 23 secondary schools (as those terms are defined by the Di-
 24 rector), including providing for the improvement of those
 25 teachers with respect to the teaching of science—

1 “(1) teaching strategies;

2 “(2) self-confidence; and

3 “(3) the understanding of science and the im-
4 pacts of science on commerce.

5 “(c) In carrying out the program under this section,
6 the Director shall focus on the areas of—

7 “(1) scientific measurements;

8 “(2) tests and standards development;

9 “(3) industrial competitiveness and quality;

10 “(4) manufacturing;

11 “(5) technology transfer; and

12 “(6) any other area of expertise of the Institute
13 that the Director determines to be appropriate.

14 “(d) The Director shall develop and issue procedures
15 and selection criteria for participants in the program.
16 Each such participant shall be a teacher described in sub-
17 section (b).

18 “(e) The Director shall issue awards under the pro-
19 gram to participants. In issuing the awards, the Director
20 shall ensure that the maximum number of participants
21 practicable participate in the program. In order to ensure
22 a maximum level of participation of participants, the pro-
23 gram under this section shall be conducted on an annual
24 basis during the summer months, during the period of

1 time when a majority of elementary, middle, and second-
 2 ary schools have not commenced a school year.

3 “(f) The program shall provide for teachers participa-
 4 tion in activities at the Institute laboratory facilities of the
 5 Institute.”.

6 (b) AVAILABILITY OF FUNDS.—The following
 7 amounts of the funds made available by appropriations
 8 pursuant to section 3(a) shall be used to carry out the
 9 teacher science and technology enhancement program
 10 under section 19A of the National Institute of Standards
 11 and Technology, as added by subsection (a) of this section:

12 (1) \$1,500,000 for fiscal year 1998.

13 (2) \$2,500,000 for fiscal year 1999.

14 **SEC. 14. JOINT STUDY BY THE NATIONAL ACADEMY OF**
 15 **SCIENCE AND THE NATIONAL ACADEMY OF**
 16 **ENGINEERING.**

17 (a) CONTRACT.—Not later than 90 days after the
 18 date of enactment of this title, the Secretary of Commerce
 19 shall enter into a contract with the National Academy of
 20 Science and the National Academy of Engineering to pro-
 21 vide for a joint study to be conducted by those academies
 22 under this section.

23 (b) STUDY PANEL.—In carrying out the study under
 24 this section, the appropriate officials of the National Acad-
 25 emy of Science and the National Academy of Engineering

1 shall establish a study panel. The members appointed to
2 the study panel shall include—

3 (1) industry and labor leaders;

4 (2) entrepreneurs;

5 (3) individuals who—

6 (A) have previously served as government
7 officials; and

8 (B) have recognized expertise and experi-
9 ence with respect to civilian research and tech-
10 nology; and

11 (4) individuals with recognized expertise and
12 experience with respect to science and technology,
13 including individuals who have had experience work-
14 ing with or for a Federal laboratory.

15 (c) CONTENTS OF STUDY.—The study conducted
16 under this section shall—

17 (1) provide for a thorough review of the effec-
18 tiveness of the Advanced Technology Program (re-
19 ferred to in this section as the “Program”) under
20 section 28 of the National Institute of Standards
21 and Technology Act (15 U.S.C. 278n);

22 (2) carry out a root cause analysis to deter-
23 mine—

1 (A) which aspects of the Program have
2 been effective in stimulating the development of
3 technology; and

4 (B) strategies used to conduct the Pro-
5 gram that have failed; and

6 (3) examine alternative approaches to accom-
7 plish the purposes of the Program.

8 (d) REPORT.—Not later than 1 year after the Sec-
9 retary of Commerce enters into contracts under subsection
10 (a) for the conduct of the joint study under this section,
11 the study panel established under subsection (b) shall pre-
12 pare, and submit to the Secretary of Commerce, for trans-
13 mittal to the President and Congress, a study that in-
14 cludes the findings of the panel with respect to the results
15 of the study.

16 **SEC. 15. OFFICE OF AIR AND SPACE COMMERCIALIZATION.**

17 (a) ESTABLISHMENT.—There is established within
18 the Department of Commerce an Office of Air and Space
19 Commercialization (referred to in this section as the “Of-
20 fice”).

21 (b) DIRECTOR.—The Office shall be headed by a Di-
22 rector, who shall be a senior executive and shall be com-
23 pensated at a level in the Senior Executive Service under
24 section 5382 of title 5, United States Code, as determined
25 by the Secretary of Commerce.

1 (c) FUNCTIONS OF THE OFFICE; DUTIES OF THE DI-
2 RECTOR.—The Office shall be the principal unit for the
3 coordination of space-related issues, programs, and initia-
4 tives within the Department of Commerce. The primary
5 responsibilities of the Director, in carrying out the func-
6 tions of the Office, shall include—

7 (1) promoting commercial provider investment
8 in space activities by collecting, analyzing, and dis-
9 seminating information on space markets, and con-
10 ducting workshops and seminars to increase aware-
11 ness of commercial space opportunities;

12 (2) assisting United States commercial provid-
13 ers in the efforts of those providers to conduct busi-
14 ness with the United States Government;

15 (3) acting as an industry advocate within the
16 executive branch of the Federal Government to en-
17 sure that the Federal Government meets the space-
18 related requirements of the Federal Government, to
19 the fullest extent feasible, with respect to commer-
20 cially available space goods and services;

21 (4) ensuring that the United States Govern-
22 ment does not compete with United States commer-
23 cial providers in the provision of space hardware and
24 services otherwise available from United States com-
25 mercial providers;

1 (5) promoting the export of space-related goods
2 and services;

3 (6) representing the Department of Commerce
4 in the development of United States policies and in
5 negotiations with foreign countries to ensure free
6 and fair trade internationally in the area of space
7 commerce; and

8 (7) seeking the removal of legal, policy, and in-
9 stitutional impediments to space commerce.

10 **SEC. 16. EXPERIMENTAL PROGRAM TO STIMULATE COM-**
11 **PETITIVE TECHNOLOGY.**

12 (a) IN GENERAL.—Section 5 of the Stevenson Wylder
13 Technology Innovation Act of 1980 (15 U.S.C. 3704) is
14 amended by adding at the end the following:

15 “(f) EXPERIMENTAL PROGRAM TO STIMULATE COM-
16 PETITIVE TECHNOLOGY.—

17 “(1) IN GENERAL.—The Secretary, acting
18 through the Under Secretary, shall establish a pro-
19 gram to be known as the Experimental Program to
20 Stimulate Competitive Technology (referred to in
21 this subsection as the ‘program’). The purpose of
22 the program shall be to strengthen the technological
23 competitiveness of those States that have historically
24 received less Federal research and development

1 funds than those received by a majority of the
2 States.

3 “(2) ARRANGEMENTS.—In carrying out the
4 program, the Secretary, acting through the Under
5 Secretary, shall—

6 “(A) enter into such arrangements as may
7 be necessary to provide for the coordination of
8 the program through the State committees es-
9 tablished under the Experimental Program to
10 Stimulate Competitive Research of the National
11 Science Foundation; and

12 “(B) cooperate with—

13 “(i) any State science and technology
14 council established under the program
15 under subparagraph (A); and

16 “(ii) representatives of small business
17 firms and other appropriate technology-
18 based businesses.

19 “(3) GRANTS.—In carrying out the program,
20 the Secretary, acting through the Under Secretary,
21 may make grants or enter into cooperative agree-
22 ments to provide, for—

23 “(A) technology research and development;

24 “(B) technology transfer from university
25 research;

1 “(C) technology deployment and diffusion;
2 and

3 “(D) the strengthening of technological ca-
4 pabilities through consortia comprised of—

5 “(i) technology-based small business
6 firms;

7 “(ii) industries and emerging compa-
8 nies;

9 “(iii) universities; and

10 “(iv) State and local development
11 agencies and entities.

12 “(4) REQUIREMENTS FOR MAKING AWARDS.—

13 “(A) IN GENERAL.—In making grant
14 awards under this subsection, the Secretary,
15 acting through the Under Secretary, shall en-
16 sure that the awards are awarded on a competi-
17 tive basis that includes a review of the merits
18 of the activities that are the subject of the
19 award.

20 “(B) MATCHING REQUIREMENT.—The
21 non-Federal share of the activities (other than
22 planning activities) carried out under a grant
23 under this subsection shall be not less than 25
24 percent of the cost of those activities.

1 “(5) CRITERIA FOR STATES.—With respect to
2 States that participate in the program, the Sec-
3 retary, acting through the Under Secretary, shall es-
4 tablish criteria for achievement by each State that
5 participates in the program. Upon the achievement
6 of all such criteria, a State shall cease to be eligible
7 to participate in the program.

8 “(6) COORDINATION.—To the extent prac-
9 ticable, in carrying out this section, the Secretary,
10 acting through the Under Secretary, shall coordinate
11 the program with other programs of the Department
12 of Commerce.

13 “(7) REPORT.—

14 “(A) IN GENERAL.—Not later than 90
15 days after the date of enactment of the Tech-
16 nology Administration Authorization Act for
17 Fiscal Years 1998 and 1999, the Under Sec-
18 retary shall prepare and submit a report that
19 meets the requirements of this paragraph to the
20 Secretary. Upon receipt of the report, the Sec-
21 retary shall transmit a copy of the report to the
22 Committee on Commerce, Science, and Trans-
23 portation of the Senate and the Committee on
24 Science of the House of Representatives.

1 “(B) REQUIREMENTS FOR REPORT.—The
2 report prepared under this paragraph shall con-
3 tain with respect to the program—

4 “(i) a description of the structure and
5 procedures of the program;

6 “(ii) a management plan for the pro-
7 gram;

8 “(iii) a description of the merit-based
9 review process to be used in the program;

10 “(iv) milestones for the evaluation of
11 activities to be assisted under the program
12 in each of fiscal years 1998 and 1999;

13 “(v) an assessment of the eligibility of
14 each State that participates in the Experi-
15 mental Program to Stimulate Competitive
16 Research of the National Science Founda-
17 tion to participate in the program under
18 this subsection; and

19 “(vi) the evaluation criteria with re-
20 spect to which the overall management and
21 effectiveness of the program will be evalu-
22 ated pursuant to paragraph (8).

23 “(8) EVALUATION.—Not earlier than the date
24 that is 4 years after the date on which the program
25 is established, the Secretary, acting through the

1 Under Secretary, shall carry out an evaluation of the
 2 program. In carrying out the evaluation the Sec-
 3 retary, acting through the Under Secretary, shall
 4 apply the criteria described in paragraph
 5 (7)(B)(vi).”.

6 (b) FUNDING.—Of the amounts made available by
 7 appropriations pursuant to section 4—

8 (1) for fiscal year 1998, \$1,650,000 shall be
 9 used to carry out the Experimental Program to
 10 Stimulate Competitive Technology established under
 11 section 5(f) of the Stevenson Wydler Technology In-
 12 novation Act of 1980, as added by subsection (a) of
 13 this section; and

14 (2) for fiscal year 1999, \$3,000,000 shall be
 15 used to carry out the program referred to in para-
 16 graph (1).

17 **SEC. 17. FASTENER QUALITY ACT STANDARDS.**

18 (a) AMENDMENT.—Section 15 of the Fastener Qual-
 19 ity Act (15 U.S.C. 5414) is amended—

20 (1) by inserting “(a) TRANSITIONAL RULE.—”
 21 before “The requirements of this Act”; and

22 (2) by adding at the end the following new sub-
 23 section:

24 “(b) AIRCRAFT EXEMPTION.—

1 “(1) IN GENERAL.—The requirements of this
2 Act shall not apply to fasteners specifically manufac-
3 tured or altered for use on an aircraft if the quality
4 and suitability of those fasteners for that use has
5 been approved by the Federal Aviation Administra-
6 tion, except as provided in paragraph (2).

7 “(2) EXCEPTION.—Paragraph (1) shall not
8 apply to fasteners represented by the fastener manu-
9 facturer as having been manufactured in conform-
10 ance with standards or specifications established by
11 a consensus standards organization or a Federal
12 agency other than the Federal Aviation Administra-
13 tion.”.

14 (b) DELAYED IMPLEMENTATION OF REGULA-
15 TIONS.—The regulations issued under the Fastener Qual-
16 ity Act by the National Institute of Standards and Tech-
17 nology on April 14, 1998, and any other regulations issued
18 by the National Institute of Standards and Technology
19 pursuant to the Fastener Quality Act, shall not take effect
20 until after the later of June 1, 1999, or the expiration
21 of 120 days after the Secretary of Commerce transmits
22 to the Committee on Science and the Committee on Com-
23 merce of the House of Representatives, and to the Com-
24 mittee on Commerce, Science, and Transportation of the
25 Senate, a report on—

1 (1) changes in fastener manufacturing proc-
2 esses that have occurred since the enactment of the
3 Fastener Quality Act;

4 (2) a comparison of the Fastener Quality Act to
5 other regulatory programs that regulate the various
6 categories of fasteners, and an analysis of any dupli-
7 cation that exists among programs; and

8 (3) any changes in that Act that may be war-
9 ranted because of the changes reported under para-
10 graphs (1) and (2).

11 The report required by this section shall be transmitted
12 to the Committee on Science and the Committee on Com-
13 merce of the House of Representatives, and to the Com-
14 mittee on Commerce, Science, and Transportation of the
15 Senate, by February 1, 1999.

16 **SEC. 18. INTERNATIONAL ARCTIC RESEARCH CENTER.**

17 There are authorized to be appropriated \$5,000,000
18 for each of fiscal years 1999 and 2000 for the Federal
19 share of the administrative costs of the International Arc-
20 tic Research Center.

Passed the Senate July 31, 1998.

Attest:

GARY SISCO,
Secretary.